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IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO AND OAKLAND DIVISION

THOMAS FERNANDEZ, LORA SMITH, and
 TOSHA THOMAS, individually and on behalf
 of a class of all other persons similarly situated,

Plaintiffs,

vs.

K-M INDUSTRIES HOLDING CO., INC.;
 K-M INDUSTRIES HOLDING CO., INC.
 ESOP PLAN COMMITTEE; WILLIAM E.
 AND DESIREE B. MOORE REVOCABLE
 TRUST; TRUSTEES OF THE WILLIAM E.
 AND DESIREE B. MOORE REVOCABLE
 TRUST; CIG ESOP PLAN COMMITTEE;
 NORTH STAR TRUST COMPANY;
 DESIREE B. MOORE REVOCABLE TRUST;
 WILLIAM E. MOORE MARITAL TRUST;
 WILLIAM E. MOORE GENERATION-
 SKIPPING TRUST; and DESIREE MOORE,
 BOTH IN HER INDIVIDUAL CAPACITY
 AND AS TRUSTEE OF THE WILLIAM E.
 AND DESIREE B. MOORE REVOCABLE
 TRUST'S SUCCESSOR TRUSTS NAMED
 ABOVE,

Defendants.

Case No. C-06-07339 CW

**PLAINTIFFS' ADMINISTRATIVE
 MOTION TO EXTEND THE PAGE
 LIMIT FOR OPPOSITIONS TO
 DEFENDANTS' MOTIONS FOR
 SUMMARY JUDGMENT**

1 Pursuant to Northern District Local Rule 7-11, Plaintiffs Thomas Fernandez, Lora Smith,
2 and Tosha Thomas, individually and on behalf of a class of all other persons similarly situated
3 (collectively "Plaintiffs"), hereby move this Court for administrative relief. Plaintiffs request
4 advance permission to re-allocate the total allowance of 75 pages for Plaintiffs' three briefs in
5 opposition to Defendants' three Motions for Summary Judgment among two briefs of 25 and 40
6 pages, respectively.

7 Pursuant to Local Rule 7-3(a), Plaintiffs are entitled to file three briefs of 25 pages or less
8 in opposition to Defendants' three Motions for Summary Judgment. Plaintiffs believe that
9 submitting one brief of 25 pages or less and one brief of 40 pages or less will allow them to
10 address Defendants' Motions most clearly and efficiently, while remaining below the total page
11 allotment for the three briefs they are allowed to submit.

12 Defendants have refused to stipulate to the requested relief. On June 30, 2008, counsel
13 for Plaintiffs e-mailed counsel for Defendants to request such a stipulation. Declaration of Nina
14 Wasow in Support of Plaintiffs' Administrative Motion, Exh. 1. On July 1, 2008, counsel for
15 Defendants declined to agree to the re-allocation of pages because, they assert, each of their
16 briefs stands on its own and any extension of page limits would be unfair, regardless of whether
17 Plaintiffs' brief or briefs respond to more than one of Defendants' three Motions.

18 Local Rule 7-11 is the mechanism by which parties may argue – and courts may order –
19 that the default page limit rules be tailored to a particular set of circumstances. The instant
20 matter merits such a departure from the default page limit. The facts and arguments raised by the
21 Moore Trust Defendants (consisting of the Moore Trust and Trustees of the Moore Trust;
22 successor trusts which include the Desiree B. Moore Revocable Trust, the William E. Moore
23 Marital Trust, and the William E. Moore Generation-Skipping Trust; and Desiree Moore, both in
24 her individual capacity and as trustee of the successor trusts) and the K-M Defendants (consisting
25 of KMH, the KMH ESOP Plan Committee, and the CIG ESOP Plan Committee) in their Motions
26 for Summary Judgment overlap to a great extent. It makes the most sense for Plaintiffs to
27 respond to their arguments in one brief, and to respond to North Star Trust's arguments in
28 another brief. An extension of the page limitation for Plaintiffs' Opposition to the K-M

1 Defendants' and Moore Trust Defendants' Motions is reasonable; although Defendants argue that
2 submitting a single brief that exceeds the default page limit is unfair, Plaintiffs simply seek a
3 more functional allocation of the total page limit they are already allowed. Submitting only two
4 briefs that total 65 pages will allow Plaintiffs to set forth more clearly their position with respect
5 to all three of Defendants' Motions.

6 For the reasons stated above, Plaintiffs respectfully request a modification of the default
7 page limit with respect to their briefs in opposition to Defendants' three Motions for Summary
8 Judgment.

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11 Dated: July 1, 2008

Respectfully submitted,

LEWIS, FEINBERG, LEE,
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13 By:

/s/
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